

REMARKS/ARGUMENTS

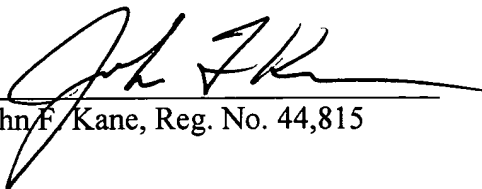
Claims 7, 9, 11, 13-14 and 16-27 remain in this application. Applicants appreciate the withdrawal of the finality of the previous Office action.

Claims 7, 9, 14, 16, 17, 19, 22, 23 and 27 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,146,247 to Nokubi et al. The remaining claims stand rejected as being unpatentable over Nokubi et al. Applicants respectfully submit that the rejection is improper as the '247 patent is not a proper §102(b) reference. The '247 patent issued on November 14, 2000, which is after applicant's current U.S. filing date of October 18, 2000. Furthermore, the present application claims priority from the corresponding Japanese application filed July 17, 2000. Therefore, the '247 patent is not a proper reference under 35 U.S.C. §102(b) because it was not patented or available as a printed publication more than one year before the applicant's filing date. Therefore, applicants respectfully submit that the '247 patent is not prior art under §102(b) and, therefore, requests that the rejection be withdrawn.

Furthermore, the '247 patent is the U.S. version of EP 0798081, which has been cited extensively during the prosecution of this case. In fact, EP 0798081 was cited in the obviousness rejection in the final Office action that was withdrawn as a result of the pre-appeal brief conference. Therefore, for at least this reason as well, applicants respectfully submit that the claims of the pending application are patentable over the '247 patent.

In view of the foregoing, it is respectfully submitted that the claims currently pending are distinguishable from the reference cited and are in condition for allowance. Reconsideration of the rejections of record is respectfully requested. If the Examiner wishes to discuss any aspect of this response, please contact the undersigned at the telephone number indicated below.

Respectfully submitted,



John F. Kane, Reg. No. 44,815

THOMPSON HINE LLP
2000 Courthouse Plaza NE
10 West Second Street
Dayton, Ohio 45402-1758
(937) 443-6816

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